

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

-----X :
KIM PAYTON-FERNANDEZ, : Case No.: 1:22-cv-00608-NLH-AMD
LAVERN COLEMAN, and DARNIEL :
WILLIAMS, Individually and on :
Behalf of All Other Persons Similarly :
Situated, :
: Plaintiffs, :
: :
-against- :
: :
BURLINGTON STORES, INC., :
BURLINGTON COAT FACTORY :
WAREHOUSE CORPORATION, :
BURLINGTON COAT FACTORY :
INVESTMENT HOLDINGS, INC., :
and BURLINGTON COAT :
FACTORY HOLDINGS, INC., :
: Defendants. :
-----X :

**NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF
COLLECTIVE ACTION SETTLEMENT AGREEMENT AND RELEASE**

PLEASE TAKE NOTICE that upon the Declaration of Michael A. Galpern, dated September 21, 2022, together with the exhibits annexed thereto; and the accompanying memorandum of law, Plaintiffs, by and through their undersigned counsel, shall jointly move this Court, before the Honorable Ann Marie Donio, on October 17, 2022, or soon thereafter as same may be heard, in the United States District Court for the District of New Jersey, Camden Vicinage,

Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Courtroom 3B, Camden, New Jersey 08101, for an Order as follows: (i) approving the proposed collective action settlement (“Settlement”) set forth in the Settlement Agreement (“Settlement Agreement”), attached as Exhibit A to the Declaration of Michael A. Galpern; (ii) conditionally certifying the proposed FLSA Collective, for settlement purposes only, under 28 U.S.C. 216(b); (iii) approving the expense and fee request in the amounts of \$18,443.21 and \$3,281,556.88, respectively; (iv) approving the service awards for the three named Plaintiffs in the amount \$10,000 each; and (v) approving payment of the Settlement Administrator’s costs.

Dated: Rye Brook, NY
September 21, 2022

KLAFTER LESSER, LLP

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*Attorneys for Plaintiff and
The Proposed Settlement Collective*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 21, 2022, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sends notification of such filing to all counsel of record.

s/ Seth R. Lesser

Seth R. Lesser